IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

Crl.Rev.Pet.No. 4092 of 2007()

CRA.795/2006 of SESSIONS COURT, KOTTAYAM
CC.551/2005 of JUDL. MAGISTRATE OF FIRST CLASS, ERATTUPETTA

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REVN. PETITIONER: PETITIONER/APPELLANT

G.KRISHNANKUTTY, GOVINDAVILASAM VEEDU,
POONJAR P.O., PANACHIPPARA, POONJAR,
NADUBHAGOM VILLAGE.

BY ADV. SRI.BABY THOMAS

RESPONDENTS: RESPONDENTS

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1. SUNNY JOSE, S/O.JOSEPH, MEKKALATH
VEEDU, PATHAMPUZHA P.O., KOTTAYAM.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
KOTTAYAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR
SRI.ROJO JOSEPH THURUTHIPARA

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4092 of 2007

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Dated: 16-11-2007

ORDER

The accused in C.C. No. 551 of 2005 on th**e file** of the J.F.C.M, Erattupetta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12050 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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